REMARKS

After entry of the present amendment, claims 1-5, 7-10, and 13 will be pending in the instant application. Claims 1 and 2 have been amended to correct typographical errors. Claim 12 has been canceled, without prejudice. No new matter has been added.

Claim 12 stands rejected under 35 U.S.C. § 112, first paragraph, as allegedly not enabling the "'prophylaxis' of depression, anxiety, movement disorders, psychosis, Parkinson's disease, and body weight disorders." While the Applicants do not necessarily agree, claim 12 has been canceled to further the prosecution of the present application. The Applicants reserve the right to prosecute the canceled subject matter in a continuing application.

Claim 7 stands rejected under 35 U.S.C. § 112, first paragraph, as allegedly not enabling the treatment and/or prophylaxis of depression, anxiety, movement disorders, psychosis, Parkinson's disease, and body weight disorders. Claim 7 does not recite "prophylaxis;" rather, claim 7 is directed to a "method of treating." As to the Office's allegation that the claims do not enable the treatment of depression, anxiety, movement disorders, psychosis, Parkinson's disease, and body weight disorders, the Applicants disagree and request withdrawal of the rejection.

In support of the rejection, the Office refers to Cryan, J. et al., *5-HT$_{1A}$ and Beyond: The Role of Serotonin and its Receptors in Depression and the Antidepressant Response*, HUM. PSYCHOPHARMACOL. CLIN. EXP. 15: 113, 125 (2000) ("Cryan") to support the allegation of the "speculative nature of the role of 5-HT receptors with the treatment of depression." Quite to the contrary, the role of 5-HT in the treatment of depression and other disorders is exceedingly well documented, as detailed in the Cryan reference, and other references known to those of skill in the art.

For example, in 1954, the correlation between serotonin metabolism in the brain and the process of psychiatric disorders was established. Cryan at 116, 2d col. And "[i]n the intervening half century, the emphasis on the role of 5-HT in the pathogenesis of a plethora of psychiatric illness has grown substantially. These include anxiety disorders such as

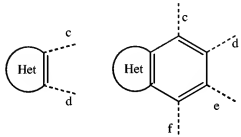
general anxiety disorder, social phobia, panic, and obsessive compulsive disorder; schizophrenia; eating disorders; sleep and chronobiological disorders; autism and developmental disorders; aggressive and impulse control; alcoholism; aging and neurodegeneration; substance abuse; and pain sensitivity." Cryan at 117, 1st col. (references omitted). Moreover, "[i]n the past 20 years one of the major facets upholding the serotonergic hypothesis of depression has been the development of effective antidepressant drugs known as the selective serotonin reuptake inhibitors (SSRIs). These are a chemically heterogeneous class of drugs which share one property, their ability to inhibit the reuptake of 5-HT back into the varicosity of the nerve terminal, therefore increasing the amount of available synaptic 5-HT. Since their clinical introduction 10 years ago, they have revolutionized psychiatry." Cryan at 119, 2d col. Indeed, fluoxetine (Prozac®), sertraline (Zoloft®), paroxetine (Paxil®), venlafaxine (Effexor®), and bupropion (Wellbutrin®), all act on the 5-HT receptor and are well-known to be highly effective treatments for disorders such as depression, anxiety, movement disorders, psychosis, Parkinson's disease, and body weight disorders.

The Applicants assert that sufficient experimental data has been provided to enable one of skill in the art to make and use the claimed invention. And as the cited reference fails to support the "speculative nature" of the role of 5-HT receptors in the treatment of depression argued in the Office Action, the Applicants respectfully request that the rejection be withdrawn.

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite "because one skilled in the art would not necessarily know which bond pair or pairs (c,d), (d,e), or (e.f) would be appropriate based on the designation of 'Het'" The Office alleges that "it is confusing if one, two, or all three of them are applicable and if only one or two of them then which ones." As one of skill in the art would readily be able to ascertain which bond pairs would be appropriate, the Applicants respectfully request withdrawal of the rejection.

The Office objects to the following portion of claim 1:

B is a radical, optionally substituted with r radicals R', according to any one of Formula (B-a) or (B-b) and fused to the isoxazolinyl moiety by either of the bond pairs (c,d), (d,e) or (e,f)

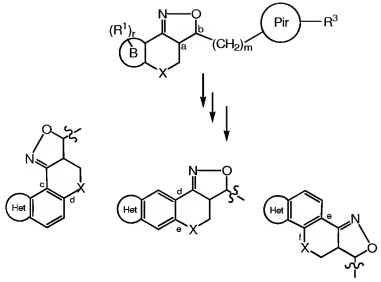


(B-a) (B-b)

wherein

Het is an optionally substituted 5- or 6-membered heterocyclic ring, selected from the group consisting of pyridinyl, pyrazinyl, pyrimidinyl, pyridazinyl, furanyl, thienyl, pyrrolyl, oxazolyl, thiazolyl, imidazolyl, pyrazolyl, isothiazolyl, isoxazolyl, oxadiazolyl and triazolyl

As depicted, if B is of Formula (B-a), then it is clear that Het is fused to the isoxazolinyl moiety by the bond pair (c,d). If B is of Formula (B-b), then the depicted phenyl group is fused to the isoxazolinyl moiety by *either* (c,d), (d,e) or (e,f). One of skill in the art would readily understand that to mean:



As indicated by the claim limitation "either of the bond pairs (c,d), (d,e) or (e,f)," only one of the bond pairs can be implemented at a time.

The Applicants assert that the limitations of claim 1 would not be confusing to one of skill in the art. The claim limitations are not indefinite; therefore, the Applicants respectfully request withdrawal of the rejection.

The Applicants assert that the claims are now in condition for allowance. An early Notice of Allowance is thus earnestly solicited.

Date: January 3, 2008

/Stephanie A. Barbosa/
Stephanie A. Barbosa
Registration No. 51,430

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439